

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

WINIFRED BLACKLEDGE

Plaintiff,

vs.

CIVIL ACTION NUMBER:

CV-2:06CV321-ID

**ALABAMA DEPARTMENT OF
MENTAL HEALTH & MENTAL
RETARDATION & COMMISSIONER
JOHN HOUSTON, in his Official
as Commissioner of the Alabama
Capacity Department of Mental Health
& Mental Retardation**

Defendants.

REPORT OF THE PARTIES' RULE 26 PLANNING MEETING

Pursuant to Fed.R.Civ.P. 26(f), a conference was held on **August 17, 2006** and was attended by:

Joshua D. Wilson, Esq. on behalf of the Plaintiff;

Courtney W. Tarver, Esq. for Defendants State of Alabama Department of
Mental Health and Mental Retardation & Commissioner John Houston

Prediscovery Disclosures. The parties will exchange by **September 25, 2006**, the information required by Fed.R.Civ.P. 26(a)(1).

Discovery Plan. The parties jointly propose to the court the following discovery plan:

a. Discovery will be needed on the following subjects:

(1) All issues raised by the Complaint, as amended, and the Answers filed in

response thereto.

- b. All discovery will be commenced in time to be completed on or before **July 27, 2007**, except for witnesses whose names are not revealed until the final witness list or whose names are not revealed in sufficient time for other parties to take a deposition prior to the pretrial, in which case the opposing party may depose those witnesses after the discovery deadline.
- c. A maximum of **25 interrogatories** by each party to any other party. Responses are due **30 days** after service.
- d. A maximum of **25 requests for production** by each party to the other party. Responses are due **30 days** after service.
- e. A maximum of **25 requests for admission** by each party to the other party. Responses are due **30 days** after service.
- f. A maximum of **15 depositions** by plaintiff and **15 depositions** by defendant.
- g. Each deposition limited to a maximum of seven (7) hours unless extended by agreement of parties.
- h. Any expert witnesses should be identified by:
 - From plaintiff by December 15, 2006
 - From defendant by January 15, 2006
- i. Reports from retained experts under Rule 26(a)(2) due:
 - From plaintiff by **February 16, 2007**.
 - From defendant by **April 15, 2007**.
- j. Supplementation of discovery responses will be due pursuant to Rule 26(e) of the

Federal Rules of Civil Procedure.

Other Items.

1. The parties do not request a conference with the court before entry of the scheduling order.
2. The case should be ready for a Pretrial Conference by **October 8, 2007**.
3. Plaintiff should be allowed until **120 days** from the date of this Order to join additional parties and to amend the pleadings.
4. Defendant should be allowed until **130 days** from the date of this Order to join additional parties and to amend the pleadings.
5. All potentially dispositive motions, pursuant to previous order by this Court, should be filed by **June 29, 2007**.
 - (a). The parties will abide by the Court's rulings on time determinations for responses and replies to any dispositive motions or in the alternative, work together for reasonable deadlines regarding responses and replies.
6. The parties have discussed settlement of this matter and have determined that settlement cannot be properly evaluated at this particular date. However, the parties intend to continuously re-evaluate settlement possibilities.
7. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due:

From plaintiff by no later than **September 17, 2007**.

From defendant by no later than **September 17, 2007**.
8. Parties should have **14 days** after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

9. The case should be ready for trial by **November 5, 2007** and at this time is expected to take approximately two to three days.
10. Dated this 21st day of August, **2006**, with all parties agreeing on the report as set out above and with permission for signing electronically and filing through the EC/CMF system which will provide notification to the parties.

/s/ Joshua D. Wilson
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